

REMARKS

Claims 1-72 are pending in the application. Claims 1-72 have been rejected.

Claims 2, 3, 8-10, 12, 16-18, 20-21, 26-28, 30, 34-36, 38, 39, 44-46, 48, 52-54, 56, 57, 62-64, 66 and 70-72 have been amended to address minor typographical errors that were noticed by the Applicants while responding to the Office Action. Please note that in the majority of the claims amended, the nature of the change was replacing a hyphenation symbol (-) with an underscoring symbol () to reflect the correct nomenclature of the data. The Applicants would like to bring this to the Examiner's attention, because the underlining of the new matter in conjunction with the underscoring may be easy to overlook when they are superimposed upon each other. If anything is unclear regarding the amendments, please do not hesitate to contact the undersigned for further clarification.

35 U.S.C. § 102

Claims 1-3, 8, 11-12, 16, 19-20, 26, 33, 37, 38, 44, 47-48, 52, 55-57, 65-66, 67, and 70 are rejected under 35 U.S.C. 102(e) as being allegedly anticipated by Heidari (U.S. Patent No. 6,711,413). Applicants respectfully traverse the rejection.

Claim 1 of the Applicants' claimed rejection recites, *inter alia*, a method in a communication device (CD) for providing short-slot-cycle paging information to a base station (BS). The method includes **determining** whether the BS is capable of short-slot-cycle paging and **indicating** that the CD is also capable for short-slot-cycle paging if the BS is determined to be capable of short-slot-cycle paging.

This is in contrast to Heidari in col. 6, lines 17-28 which discloses:

A mobile-station-assigned quick paging channel 36 is also shown in the figure. The quick paging channel (QPCH) 36 assigned to the mobile station is formed of QPCH slots 38. During operation, a particular QPCH slot 38 is also

assigned to a mobile station, for the same time period during which a paging channel slot 34 is assigned to the mobile station, again, e.g., during 1.28 second assignation. The QPCH slots 38 are, however, offset from the paging-channel slots 34 by 100 ms offsets. And, two-page indication bits 44 and 46 in the QPCH slot 38 are assigned to each mobile station. The page indication bits are separated by at least 20 ms separations.

This portion of the applied reference emphasized by the Examiner fails to disclose at least the features of “**determining** whether the BS is capable of short-slot-cycle paging and indicating that the CD is also capable for short-slot-cycle paging if the BS is determined to be capable of short-slot-cycle paging.”

In Heidari, there is a simple assignment of a particular QPCH slot to a mobile station without the determination process of the Applicants’ claimed invention.

Furthermore, the other portion emphasized by the Examiner (col. 8, lines 35-47) discloses:

... such as the RF front end portion, the base band portion, the VCO (voltage-controlled oscillator) etc., all conventional portions of a mobile station. Responsive to such determinations, selection is made by the selector 92 either to evaluate the page indication bits transmitted upon the F-QPCH in a selected manner, or to ignore such bits. Power consumption levels of the mobile station can thereby be reduced, if possible, and improved mobile station performance can result as missed-page rates can be reduced.

The selector 92 is able to operate dynamically, responsive to changing determinations of the determiner 88. Dynamic adjustment of the manner by which the page indication bits generated on the F-QPCH are interpreted, responsive to determination of varying environmental conditions and system parameters, is possible.

Again, there is no “determining whether the BS is capable of short-slot-cycle paging and indicating that the CD is also capable for short-slot-cycle paging if the BS is determined to be capable of short-slot-cycle paging.” This is in contrast to Heidari where the “determiner 88 determines a selected operating condition and provides an indication of such determination to the selector 92.” (col. 7, lines 60-63) Furthermore, in the determiner of Heidari, “if a determination

is made by the determiner 88 which indicates poor signal or other operating conditions ...” (col. 8, lines 65-67).

Again there is no teaching or suggestion of performing the determination as claimed by the Applicants.

Furthermore, the Applicants’ claim 1 recites, *inter alia*, “the BS is capable of **short-slot-cycle paging**” and “the CD is also capable for **short-slot-cycle paging**.” This is in contrast to the applied reference which discloses QPCH and F-QPCH messages only and makes no reference or suggestion to short-slot-cycle paging.

Therefore, for at least these reasons, it is respectfully submitted that the rejection be withdrawn and that claim 1 be allowed.

Claims 11, 19, 37, 47, 55 and 65 are independent claims that recite related subject matter to independent claim 1 and should be allowed for at least the same reasons presented above regarding claim 1 as well as the additionally recited features found in these claims.

Claims 2, 12, 20, 33, 38, 48, 56, and 66 are dependent claims that depend upon independent claims 1, 11, 19, 29, 37, 47, 55 and 65 respectively and should be allowed for the same reasons presented above regarding the independent claims as well as the additional features recited in the dependent claims.

Claims 3, 21, 31, 39, 49, 57 and 67 are dependent claims that depend upon their respective independent claims and should be allowed for the same reasons presented above regarding the independent claims as well as the additional features recited in the dependent claims.

Claims 8, 16, 26, 34, 44, 52, 62 and 70 are dependent claims that depend upon their respective independent claims and should be allowed for the same reasons presented above

regarding the independent claims as well as the additional features recited in the dependent claims.

35 U.S.C. § 103

Claims 6, 9-10, 17-18, 24, 27-28, 35-36, 45-46, 53-54, 63-64 and 71-72 are rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Heidari (U.S. Patent No. 6,711,413). Applicants respectfully traverse the rejection.

Regarding claims 6, 24, 42 and 60, the Examiner acknowledges that the primary reference Heidari fails to teach or suggest examining whether AUTO_MSG_SUPPORTED field is set to “1”.

In an attempt to make up for the deficiency of the primary reference, the Examiner takes official notice that designing different field and setting a different number is a programmer choice in order to make up for the acknowledged deficiencies of the primary reference.

The Applicants respectfully submit the rejection is defective because the use of official notice fails to cure the deficiencies of the primary reference as discussed above in overcoming a previous rejection. Furthermore, the Applicants respectfully submit that it is not obvious to one of ordinary skill in the art to use the AUTO_MSG_SUPPORTED field in the manner as claimed by the Applicants and in view of the fact that the dependent claim possesses all of the features of the independent claim that it depends upon and that the Applicants believe that they have shown to be novel over the applied art.

Therefore, for at least these reasons, it is respectfully submitted that the rejection be withdrawn and that claims be allowed.

Regarding claims 7, 15, 25, 33, 43, 51, 61 and 69, the Examiner acknowledges that the primary reference Heidari fails to teach or suggest setting WILL_INCL to “1” in one of the registration message, origination message, or page response message.

In an attempt to make up for the deficiency of the primary reference, the Examiner takes official notice that designing different field and setting a different number is a programmer choice in order to make up for the deficiencies of the primary reference.

The Applicants respectfully submit the rejection is defective because the use of official notice fails to cure the deficiencies of the primary reference as discussed above in overcoming a previous rejection. Furthermore, the Applicants respectfully submit that it is not obvious to one of ordinary skill in the art to use the WILL_INCL in the manner as claimed by the Applicants and in view of the fact that the dependent claim possesses all of the features of the independent claim that it depends upon and that the Applicants believe that they have shown to be novel over the applied art.

Regarding claims 9, 17, 27, 35, 45, 53, 63 and 71, the Examiner acknowledges that the primary reference Heidari fails to teach or suggest setting a desired slot cycle duration in a WLL_DEVICE_TYPE field.

In an attempt to make up for the deficiency of the primary reference, the Examiner takes official notice that designing different field and setting a different number is a programmer choice in an attempt to make up for the deficiencies of the primary reference.

Regarding claims 10, 18, 28, 36, 46, 54, 64 and 72, the Examiner acknowledges that the primary reference Heidari fails to teach or suggest setting a SLOT_CYCLE_INDEX with a most significant bit of “1” in one of registration message, origination message, or page response message.

In an attempt to make up for the deficiency of the primary reference, the Examiner takes official notice that designing different field and setting a different number is a programmer choice.

The Applicants respectfully submit the rejection is defective because the use of official notice fails to cure the deficiencies of the primary reference as discussed above in overcoming a previous rejection. Furthermore, the Applicants respectfully submit that it is not obvious to one of ordinary skill in the art to use SLOT_CYCLE_INDEX in the manner as claimed by the Applicants and in view of the fact that the dependent claim possesses all of the features of the independent claim that it depends upon and that the Applicants believe that they have shown to be novel over the applied art.

Claims 4-5, 13-14, 22-23, 31-32, 40-41, 58-59 and 68 are rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Heidari (U.S. Patent No. 6,711,413) in view of Zhang et al. (U.S. Publication 2004/0179492). Applicants respectfully traverse the rejection.

Regarding claims 4, 13, 22, 31, 40, 50, and 58, the Examiner acknowledges that Heidari fails to teach or suggest a determining that includes examining system parameter messages including extended system parameter messages (ESPM).

The Examiner then applies Zhang as a secondary reference in an attempt to make up for the deficiencies of the primary reference.

The Applicants respectfully submit that the application of the secondary reference fails to cure the deficiencies of the primary reference as discussed above in overcoming a previous rejection.

Therefore, for at least these reasons, it is respectfully submitted that the rejection be withdrawn and that the claims be allowed.

Regarding claims 5, 14, 23, 32, 41, 59 and 68, the Examiner acknowledges that Heidari fails to teach or suggest a determining that includes examining system parameter messages including ANSI-41 system parameter messages (A41SPM).

The Examiner then applies Zhang as a secondary reference in an attempt to make up for the deficiencies of the primary reference.

The Applicants respectfully submit that the application of the secondary reference fails to cure the deficiencies of the primary reference as discussed above in overcoming a previous rejection.

Therefore, for at least these reasons, it is respectfully submitted that the rejection be withdrawn and that the claims be allowed.

CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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